

1828
Huskisson

Copy of a Petition presented to the House of Commons, by Mr. HUSKISSON, June, 1828.

To the Honourable the Commons, &c.

The Humble Petition of the Undersigned, Merchants and others, connected with the Canadas,

SHEWETH,

THAT your Petitioners have perceived with alarm and deep regret the dissensions which have for many years prevailed in these provinces, and which are now so much matter of public notoriety, that your Petitioners deem it unnecessary to occupy the time of your Honourable House in their detail: neither is it the purpose of your Petitioners to blame the conduct of any Man or party of Men, in these provinces, and thus by recrimination aggravate the evil; but your Petitioners are actuated by the more laudable motive of calling the attention of your Honourable House to what appears to them the only effectual remedy for these unfortunate differences, in time to come.

That, in the honest conviction of your Petitioners, the Act of the 31st Geo. III. cap. 31, whereby the late Province of Quebec was divided into the Provinces of Upper and Lower Canada, has been the fruitful source of all the evils with which the Canadas have been and are now afflicted.

That this most impolitic measure was passed at the time, without being desired by the then few Inhabitants of what now constitutes the Province of Upper Canada, and in direct opposition to the wishes of the Inhabitants of what now constitutes the Province of Lower Canada, whether of French or British extraction, as clearly appears by the representation of their joint Agent, made at the bar of your Honourable House on the 23rd March, 1791.

That the baleful consequences of this measure were even then so clearly foreseen, and brought so fully before your Honourable House, that your Petitioners cannot describe what has actually occurred in more appropriate language than that used by the individual above alluded to, on that occasion:—in urging the continuance of the Province of Quebec undivided, he says, “There is one consideration of the utmost importance to the tranquillity of the people inhabiting all parts of that country, and which will alone, I hope, be sufficient to engage this Honourable House to reject the plan of a new Independent Government. I must beg to request that Honourable Members will recollect and attend to the Geographical situation of that Country, from which it will appear evident that no vessel of any kind can proceed further up the River Saint Lawrence than the City of Montreal, on account of rapids which are immediately above that town. Of course, as every article of necessity or luxury which the Inhabitants of the upper districts have occasion for, from Britain or any foreign Country, must come to them by the river St. Lawrence, they must be landed at or below Montreal, where they must be stored by the merchants of Quebec or Montreal until carriages or boats are provided to send them forward; likewise, that every article of produce that the people of these upper districts wish to export, must be sent in Boats to Montreal, or, perhaps to Quebec, for the purpose of being shipped for exportation; and that as well the articles of import as of export must, in passing through the lower country, become subject to the laws and regulations, duties and taxes, which may be imposed by the Legislature of the Lower Country. Now, supposing the division to take place, as it may be expected that the new Legislature of Quebec shall in due time provide a revenue towards the support of the Civil Government of that part of the Province, it is more than probable that whatever money is raised for that, or any other public purpose, will be done by duties payable upon importations:—it is therefore an object that deserves the most serious reflection of Honourable Members, to consider how far the people inhabiting the Upper Government will approve of, and be content to pay, duties on their importations or exportations, when the produce of those Taxes or duties is to be applied towards supporting the expenses of the Civil Government of the Lower Province, or for building public edifices, or otherwise improving or beautifying that part of the Country, or for the purpose of granting Bounties or Encouragements to promote Agriculture, or particular trades or manufactures, of which the people in the Upper Province, cannot from their situation, participate the advantages.

“It is impossible, Sir, if the Province of Quebec is divided, for the wisdom of Man to lay a plan for these objects that will not afford matter of dispute and create animosities between the Governments of the two Provinces, which in a few years may lead to the most serious consequences; this would be sowing the seed of dissensions and quarrels, which, however easy it may be to raise, it will be found exceedingly difficult to appease.”

Again he adds: "Sir, I have considered the subject a thousand times since I first heard of this intended division, but have not been able to form any reasonable idea of the motive that thus induced the proposition of such a dangerous experiment.—If, at any future period, experience should point it out as expedient for the advantage and safety of Government, or for the general convenience or prosperity of the people, to divide that country, it may then be done with more judgment, from a more certain knowledge of the consequences of such a division. The conveniences that may arise from continuing the Province united under one Legislature are few, and they are well known and understood, the advantages of unanimity, mutual support, and strength, but no man can tell the dangers of a separation. The dangers, however, to be apprehended are political weakness, disunion, animosities, and quarrels."

That it is within the knowledge of several of your Petitioners, that the above Act had hardly become a Law, when the impolicy of the division of the Province of Quebec became apparent to his Majesty's Ministers, as was declared by them to the individual who made the representation from which your Petitioners have now quoted.

Although that, by the wisdom of the imperial Parliament, an Act was passed in 1822, intending to set at rest, at least for the moment, the disputes between the two Provinces in regard to duties; for which end, the power of determining on the share of duties to which Upper Canada may be entitled, is taken out of the Hands of the two Colonial Legislatures and given to Arbitrators; yet, as the very passing of such a Law implies the existence of a very great evil, so your Petitioners are well assured that this remedy, viewed as a permanent measure, would, in its execution, prove a source of endless dispute, dissatisfaction, and jealousy, between the the two Provinces:—and as pregnant with the same effects, do the Petitioners regard the depriving of the Legislature of Lower Canada of the power to raise any duties on importations into that Province, without the previous communication of any projected Law for that purpose to the Government of Upper Canada, and the transmission of it to England for the approval of the Government there. The more consideration your Petitioners bestow on the subject, the more confident is their conviction, that, instead of palliative remedies, an effectual and complete remedy should be resorted to; and this can only be found by the union of the Provinces under one Legislature.

That, as British subjects, and persons whose interests are deeply involved in the prosperity of these Provinces, your Petitioners cannot view the present state of affairs and their inevitable result, without the most serious apprehensions. Situated as the Canadas are, with respect to the United States of America, it is the interest of Great Britain to give as rapid a developement to the resources of these Provinces as they are capable of, and augment and increase their strength as much as possible, with a view to their continuing a distinct portion of America, secure under British protection, and furnishing Great Britain the means of exercising an important influence over that Country, in such a manner as circumstances may render expedient: in furtherance of this object, it would be obviously fit that a communion of feeling and an identity of political views, with a sense of increased strength and importance, should, as far as can be produced, prevail in the two Provinces: this policy is altogether counteracted by a division, which tends to increase the opposition of the Inhabitants of Lower Canada to the institutions, habits, and feelings, of those of Upper Canada; while the latter, becoming gradually more estranged from their Sister Province, must be gradually and imperceptibly drawn into closer ties of connexion with the adjoining States, whose Inhabitants have the same laws, language, habits, and manners: whereas, by the Union of the Provinces, the present divided parts of the Population would be gradually moulded into one Common Mass, with the same Political views and feelings, ready to act in concert, and to combine their resources for their common defence.

That, from the state of the representation in Lower Canada, a very large body of his Majesty's subjects, amounting it is estimated, to 80,000 souls, of British birth and British descent, are unrepresented in the Legislature, either directly or indirectly. His Majesty's subjects of French descent, having it in their power to exclude, and actually excluding, from the House of assembly all who do not fall into their very views, (which views, whether right or wrong, it is not the present object of your Petitioners to discuss,) and the effect has been, that of a vast number of Emigrants, who of late years have arrived from Great Britain and Ireland, probably not one twentieth part have remained within its limits; the rest have sought protection under English institutions, by settling in Upper Canada or in the United States.

That, by a union of the two Provinces, every British Inhabitant therein would be represented, were some measure at the same to be adopted, to enable the Town-ships to return Members for themselves. And the claims of these Inhabitants of British origin are so strongly built upon justice, that your Petitioners cannot doubt but your Honourable House would see fit to provide for the unrepresented state of the valuable and fertile portions of the Province.

That the Legislature of the Lower Province has for a long time been so much agitated by dissensions, and their deliberations so much engrossed thereby, that Trade, Agricultural Education, and matters of general interest have been neglected; whereas, under an enlightened and efficient legislature, undistracted by partial views and interests, your Petitioners confidently anticipate the rapid advancement of these, together with the improvement of the navigation, and internal means of communication, the establishment of an Insolvent Debtors' Act, of Offices for the Registry of Lands and Mortgages, and other objects so necessary for security in commercial transactions.

That while your Petitioners thus point out to your Honourable House the necessity of, and advantages which, in their humble opinion, would flow from, an union, they are far from wishing such a measure on any other but on equitable principles, without innovation in the laws or religion, or without doing violence to the feeling of any party, more than may be found necessary to conduce to the general good.

May your Honourable House, therefore, be pleased to take these premises into your consideration; and your Petitioners rely, with full confidence, on your wisdom for taking such measures thereupon, as will promote the best interests of these Provinces, and long preserve them as valuable dependencies of the Crown of Great Britain

And your Petitioners, as in duty bound, will ever pray

SIMON M'GILLIORAY.
 JOHN HULLETT.
 JOHN BONUS.
 R. CARTER.
 J. MACKILLOP.
 A. STEWART.
 HENRY OSBORNE.
 W. T. HIBBERT.
 MARTIN CALDWELL.
 JAMES DYKE.
 F. L. HOOFFSTELLER.
 HUGH GRAY.
 MOBE HART.
 JOHN PRICE.
 ROBERT GILLESPIE.
 W. LOGAN.
 ALEX. GILLESPIE.
 JAMES DOWIE.
 GEORGE SKINNEAR.
 GEORGE FORSYTH.

EDWARD COLSON.
 WILLIAM ROW, JUN.
 HART LOGAN.
 JOHN LACKWOOD.
 JOHN BAINBRIDGE
 ANTHONY ATKINSON.
 ROBERT HARRISON.
 J. WESTMORELAND.
 JOHN HIBBERT.
 E. FORSYTH.
 RICHARD CLARKE.
 THOMAS WILSON.
 GABRIEL SHAW.
 FLETCHER WILSON.
 B. A. GHIE.
 RUSSELL ELLICE.
 THOMAS W. HARBY.
 KENNETH DOWIE.
 JOHN GERRARD.

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And your Petitioners with duty bound, will ever pray

EDWARD COXSON.
WILLIAM HOW JUNE
JOHN LORW JON.
JOHN BAINBRIDGE
ANTHONY ATKINSON.
ROBERT HARRISON.
J. WESTMORELAND.
JOHN HIBBERT.
E. FORSYTH.
RICHARD CLARKE.
THOMAS WILSON.
GABRIEL SHAW.
ALEXANDER WILSON.
B. A. GIBB.
RUSSELL ELLIOT.
THOMAS W. HARRY.
LEWIS DOWIE.
JOHN GIBBON.

EDMOND MCGILLIVRAY.
JOHN DOWIE.
R. CARTER.
J. MACLEOD.
A. STEWART.
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